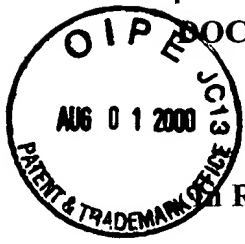


1644 \$



POCKET NO.: SPC-637 (ORGU-0023)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Smith et al.

Serial No.: 08/392,934

Group Art Unit: 1644

Filing Date: October 28, 1996

Examiner: R. Schwadron

For: IMMUNOREACTIVE PEPTIDES FROM EPSTEIN-BARR VIRUS

DATE OF DEPOSIT: July 26, 2000
I HEREBY CERTIFY THAT THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID
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ADDRESSED TO THE ASSISTANT COMMISSIONER
FOR PATENTS WASHINGTON, DC 20231.
Mark DeLuca
Mark DeLuca
REGISTRATION NO.: 33,229

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☐ AF

Assistant Commissioner for Patents
Washington DC 20231

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Sir:

AMENDMENT TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☒ A Reply and Request for Reconsideration Responsive to the Office Action Dated February 3, 2000.
- ☐ An Amendment Supplemental to the Paper filed _____.
- ☒ Other: Copies of the October 23, 1996 Renewed Petition Under 37 CFR 1.48(a) with the accompanying Verified Statement of Facts signed by Smith, Pearson and Parks; the Declaration of John R. Wetherell; the Assignment documents; Declaration and Power of Attorney and Assent of Assignee to Addition to Originally Named Inventors; the Second Renewed Petition; a corrected Assent of Assignee, dated May 30, 1997; the Filing Receipt dated March 13, 1998.

- ☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 was established in a previous submission.
- ☐ A Statement Claiming Small Entity Status under 37 C.F.R. 1.9 and 1.27 is enclosed.
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the Patent and Trademark Office.
- ☐ Substitute Pages _____ of the Specification are enclosed.
- ☒ An Abstract is included in the Reply and Request for Reconsideration.
- ☐ _____ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications: _____
_____ is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
- ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appended Material as follows: _____ .
- ☐ Other Material as follows: _____ .

FEE CALCULATION

☐ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	16	36 (20 MINIMUM)	20	\$9 EACH	\$	\$18 EACH	\$360
INDEP. CLAIMS	2	3 (3 MINIMUM)	0	\$39 EACH	\$	\$78 EACH	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$130	\$	\$260	\$ 0
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$190	\$	\$380	\$
<input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$435	\$	\$870	\$870
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$680	\$	\$1360	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$925	\$	\$1850	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE							\$1230

☒ A Check is Enclosed in the Foregoing Amount Due.

☒ Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for response to the Office Action of **February 3, 2000** to and through **August 3, 2000** comprising an extension of the shortened statutory period of **three (3)** month(s).


☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.
- ☐ The Foregoing Amount Due for Filing this Paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date:

July 26, 2000



Mark DeLuca

Registration No. 33,229

Woodcock Washburn Kurtz
Mackiewicz & Norris LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439



S.N. 081 392,934 File No. 7586 P03033 Date Mailed 10/23/96 By: WY/mah
Title: Immune reactive Peptides from EB virus
(Client Name) go J

The Following, due 10/23/96 in the U.S. Patent & Trademark Office was received in the Patent & Trademark Office on the date stamped hereon:

☐ Amendment
☐ TM Appln., Including Specimens
☐ PCT Application Including
☐ Spec. Request
☐ Application for Patent Including
☐ Pages Spec.; No. of Claims
☒ Declaration, Affidavit or Oath Signed
☐ Assign; Ck. No. _____ for \$ _____
☐ Verified Statement
☐ Letter of Transmittal
☐ Maintenance Fee Transmittal
☐ Check No. _____ for \$ _____
☐ Check No. _____ for \$ _____

Priority: ☒ Parent of America to Add to to
Orig. named Inventor.

☐ Drawings; # of Sheets _____
☐ Formal _____ Informal _____
☐ Issue Fee Transmittal
☐ Letter Re _____
☐ Notice of Appeal
☒ Petition for Ext of term
☒ Advance soft copy order:
☒ Ck. No. 1144 for \$ 930
☐ Certified Copy; # _____ of Docs.
☒ Power of Attorney 37CFR.48
☒ Renewal Petition (3)
☒ Verified Stmt of Facts
☒ Dec of John Wethersall
☒ Copy of Exctd Assmt

S.N. 081 392,934 File No. 7586 P03033 Date Mailed 10/23/96 By: WY/mah
Title: Immune reactive Peptides from EB virus
(Client Name) go J

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☐ Amendment
☐ TM Appln., Including Specimens
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☐ Pages Spec.; No. of Claims
☒ Declaration, Affidavit or Oath Signed
☐ Assign; Ck. No. _____ for \$ _____
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☐ Check No. _____ for \$ _____
☐ Check No. _____ for \$ _____

Priority: ☒ Parent of America to Add to to
Orig. named Inventor.



☐ Drawings; # of Sheets _____
☐ Formal _____ Informal _____
☐ Issue Fee Transmittal
☐ Letter Re _____
☐ Notice of Appeal
☒ Petition for Ext of term
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☒ Ck. No. 1144 for \$ 930
☐ Certified Copy; # _____ of Docs.
☒ Power of Attorney 37CFR.48
☒ Renewal Petition (3)
☒ Verified Stmt of Facts
☒ Dec of John Wethersall
☒ Copy of Exctd Assmt

VENDOR NO. 716 COMMISSIONER OF PATENTS AND TRADEMARKS

CHECK NO. 1144

INVOICE DATE	INVOICE NO.	DESCRIPTION	VOUCHER NO.	ACCOUNT NO./ FILE NO.	AMOUNT
10/23/96	CKR--WY-CC	COMMISSIONER OF PATENTS	278337	7586D-3033	
10/23/96	CKR--WY-CC	10/23	278337	7586D-3033	930.00
TOTAL AMOUNT					930.00



LOEB&LOEB LLP LOS ANGELES, CA 90067-4184

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SUITE 2200
LOS ANGELES, CA 90067-4184

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445 SQ. FIGUEROA ST., LOS ANGELES, CA 90071

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DATE 10/23/96

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\$*****930.00

COMMISSIONER OF PATENTS AND TRADEMARKS

LOEB&LOEB LLP

TO THE
ORDER
OF

David M. Loebl

TWO SIGNATURES REQUIRED FOR AMOUNTS IN EXCESS OF \$2,500.00

⑈001144⑈ ⑆22000496⑆ 2100680257⑈





PATENT
7586/PD-3033

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
)
SMITH, et al)
)
Serial No: 08/392,934)
)
Filed: September 15, 1993)
)
For: IMMUNOREACTIVE PEPTIDES FROM)
EPSTEIN-BARR VIRUS)
_____)

**ASSENT OF ASSIGNEE TO ADDITION TO
ORIGINALLY NAMED INVENTORS**

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

ORTHO DIAGNOSTIC SYSTEMS, INC., of 1001 U.S. Route 202, Raritan, New Jersey 08869 and GEORGETOWN UNIVERSITY, of 37th and O Streets, NW, Washington, D.C., 20057, each having an undivided one-half interest in the above identified application, an assignment having previously been submitted for recordation under separate cover (a copy of that assignment being attached hereto), hereby assents to the correction of inventorship filed on October 28, 1996.

ORTHO DIAGNOSTIC SYSTEMS, INC., and GEORGETOWN UNIVERSITY state that they have reviewed the executed assignment and to the best of their knowledge and


belief, title to the above identified invention and application resides in the herein named assignees, and that the evidentiary document supporting this knowledge and belief, as required by 37 CFR 3.73(b), is the executed Assignment document.

The undersigned declare that the undersigned are empowered to sign on behalf of their respective assignee.

Each of the undersigned further declare that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

ORTHO DIAGNOSTIC SYSTEMS, INC.

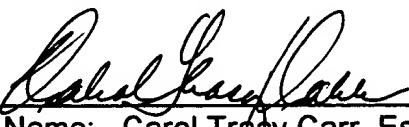
Dated: 5/1, 1997



Michael Stark
Assistant Secretary

GEORGETOWN UNIVERSITY

Dated: 5/27/97, 1997



Name: Carol Tracy Carr, Esq.
Title: Director
Office of Technology Transfer
Georgetown University

FD-4282
Johnson & Johnson
CAT



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DATE: 03/09/94
TO:

N02B

SPENSLEY HORN JUBAS & LUBITZ
JOHN R. WETHERELL, JR.
1880 CENTURY PARK EAST, FIFTH FLOOR
LOS ANGELES, CA 90067

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MAR 29 1994

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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT BRANCH OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT ASSIGNMENT PROCESSING SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT BRANCH, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231

ASSIGNOR:
PEARSON, GARY R.

DOC DATE: 01/18/94

RECORDATION DATE: 01/28/94 NUMBER OF PAGES 002 REEL/FRAME 6853/0692

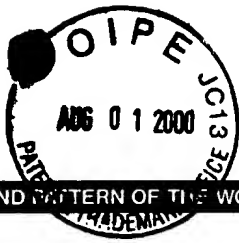
DIGEST : ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:
GEORGETOWN UNIVERSITY
37TH AND O STREETS, N.W.
WASHINGTON, D.C. 20057

SERIAL NUMBER 7-945280 FILING DATE 09/15/92
PATENT NUMBER ISSUE DATE 00/00/00

EXAMINER/PARALEGAL
ASSIGNMENT BRANCH
ASSIGNMENT/CERTIFICATION SERVICES DIVISION

ORIGINAL DOCUMENT
COPY KEPT BY DOCKET
CLERK FOR DOCKETING
DATE 3-29-94
BY *OR*



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LOS ANGELES, CA 90067-4164

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445 SO. FIGUEROA ST., LOS ANGELES, CA 90071

16-49
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CHECK NO. **002609**

DATE **05/30/97**

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\$ *****110.00

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LOEB&LOEB LLP

Ray R. W. W.

TWO SIGNATURES REQUIRED FOR AMOUNTS IN EXCESS OF \$2,500.00

⑈002609⑈ ⑆122000496⑆ 2100680257⑈

08/ 392,934 7586/PD-3033 Date Mailed 5/30/97 JTV
S.N. File No.
Title: IMMUNOREACTIVE PEPTIDES
08/ 392,934 7586/PD-3033 Date Mailed 5/30/97 By: JLK
S.N. File No.
Title: IMMUNOREACTIVE PEPTIDES FROM EPSTEIN-BARR VIRUS
(Client Name) JOHNSON & JOHNSON

The Following, due _____ in the U.S. Patent & Trademark Office was received in the Patent
& Trademark Office on the date stamped hereon:

___ Amendment
___ TM Appln., Including Specimens
___ PCT Application Including
___ Spec. ___ Request
___ Application for Patent Including
___ Pages Spec.; No. of Claims ___
___ Declaration, Affidavit or Oath
___ Assign; Ck. No. ___ for \$ ___
___ Verified Statement
___ Letter of Transmittal
___ Maintenance Fee Transmittal
___ Check No. ___ for \$ ___
___ Check No. ___ for \$ ___
Priority: _____

___ Drawings; # of Sheets ___
___ Formal ___ Informal
___ Issue Fee Transmittal
___ Letter Re
___ Notice of Appeal
X Petition for EXT. TIME (2)
___ Advance soft copy order:
X Ck. No. 002609 for \$ 110.
___ Certified Copy; # ___ of Docs.
___ of money

89 Rec'd PCT/PTO 03 JUN 1997

X SECOND RENEWED PETITION
UNDER 37 CFR 1.48(a)(2)
WITH EXHIBITS A AND B.

DOCKET NO.: ORGU-0023
PATENT APPLICATION

SERIAL NO.: 08/392,934
FILED: OCTOBER 28, 1996

Attachments: Copies of the October 23, 1996 Renewed Petition Under 37 CFR 1.48(a) with the accompanying Verified Statement of Facts signed by Smith, Pearson and Parks; the Declaration of John R. Wetherell; the Assignment documents; Declaration and Power of Attorney and Assent of Assignee to Addition to Originally Named Inventors; the Second Renewed Petition; a corrected Assent of Assignee, dated May 30, 1997; the Filing Receipt dated March 13, 1998